

Remarks

Claims 1-23 and 25-40 are pending. Claims 25, 31, and 32 have been amended. Claim 24 has been cancelled.

The Specification and Abstract have been amended to address the Examiner's concerns.

Appreciation is expressed for the indication of allowance of claims 1-23 and 37-40, and allowability of claims 25-30 and 33-36. In response, claim 25 has been amended to include the limitations of claim 24, and to therefore put it in condition for allowance. Claim 31 has been amended to correct its dependence.

Rejection of Claims under 35 U.S.C. § 112

Claim 31 is rejected under 35 U.S.C. § 112, second paragraph. Claim 31 has been amended to address this rejection.

Rejection of Claims under 35 U.S.C. § 102

Claim 24 stands rejected under 35 U.S.C. § 102(e) as being anticipated by Theodoras, II et al., U.S. Patent No. 6,684,350 (Theodoras).

While the applicants respectfully disagree with the Examiner's arguments regarding this claim, in the interest of advancing prosecution of the present application the applicants have amended claim 25 to include the limitations of claim 24 and therefore put it in condition for allowance. The applicants intend to pursue the previously presented claim 24, as well as additional claims, in a continuation application, and this amendment should not be considered as prejudicing such a continuation or acquiescing to the Examiner's arguments.

Rejection of Claims under 35 U.S.C. § 103

Claim 32 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Theodoras in view of Official Notice. The applicants respectfully traverse this rejection.

The applicants note that since the present application was filed on or after November 29, 1999, changes made to 35 U.S.C. §103(c) by the American Inventors Protection Act of 1999 are applicable to the present case. Accordingly, the applicants

state for the record that at the time the present invention was made, it and the subject matter disclosed in Theodoras were owned by the same person or subject to an obligation of assignment to the same person. Accordingly, the applicants respectfully submit that Theodoras is not proper prior art for the purposes of 35 U.S.C. §103 and the rejection of claim 32 should be withdrawn. To that end, claim 32 has been amended to explicitly include the limitations of claim 24.

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the examiner is requested to telephone the undersigned.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450, on August 31, 2004.



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8/31/04
Date of Signature

Respectfully submitted,



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